

SO ORDERED

David E. Peebles  
U.S. Magistrate Judge  
Dated: 8/11/10

Syracuse, New York

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

EDWARD CARR,

Plaintiff,

-against-

DELAWARE & HUDSON RAILWAY  
COMPANY, INC.,STIPULATION OF  
DISCONTINUANCE

Civil Action No.: 08-CV-1302

TJM/DEP

Defendant

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of this action, any and all claims against the defendant, and the same are hereby discontinued, with prejudice and on the merits, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: July 13, 2010

SCARZAFAVA &  
BASDEKIS, LLPMcNAMEE, LOCHNER, TITUS  
& WILLIAMS, P.C.By: Attorneys for Plaintiff  
48 Dietz Street, Suite C  
Oneonta, New York 13820By: Scott A. Barbour  
Attorneys for Defendant  
677 Broadway  
P.O. Box 459  
Albany, New York 12201-0459

(MOF/MS/1)

McNAMEE, LOCHNER, TITUS &amp; WILLIAMS, P.C. • 677 BROADWAY • P.O. BOX 459 • ALBANY, NEW YORK 12201-0459